

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FCSTONE, LLC,)	
)	
Plaintiff,)	
)	No: 10-cv-508
v.)	
)	Hon. Ronald A. Guzman
SCOTT A. ADAMS, ROBERT W. WALFORD,)	
SAMANTHA GARBERS-ADAMS and)	Magistrate Judge Maria Valdez
LISA WALFORD,)	
)	
Defendants.)	

FCSTONE, LLC'S RULE 26(a)(1) INITIAL DISCLOSURES

Plaintiff, FCStone, LLC ("FCStone"), by and through its undersigned counsel and pursuant to Fed. R. Civ. P. 26(a)(1), hereby submits the following Rule 26(a)(1) disclosures. These disclosures are based on information known at this time. These disclosures will be supplemented as additional documents and information are discovered consistent with the requirements under the Federal Rules of Civil Procedure and the Local Rules for the Northern District of Illinois, as applicable.

(A) Witnesses (the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information):

1. **Robert W. Walford**
c/o Clifford A. Katz
Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP
1065 Avenue of the Americas
New York, NY 10018
(212) 593-3000

Knowledge of facts regarding the allegations contained in the Complaint.

2. **Scott A. Adams**
c/o Clifford A. Katz
Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP

1065 Avenue of the Americas
New York, NY 10018
(212) 593-3000

Knowledge of facts regarding the allegations contained in the Complaint.

3. **Lisa Walford**
c/o Michael R. Koblenz, Esq.
Mound Cotton Wollan & Greengrass
One Battery Park Plaza
24 Whitehall Street
New York, NY 10004-1486
(212) 804-4200

Knowledge of facts regarding the allegations contained in the Complaint.

4. **Samantha Garbers-Adams**
c/o Michael R. Koblenz, Esq.
Mound Cotton Wollan & Greengrass
One Battery Park Plaza
24 Whitehall Street
New York, NY 10004-1486
(212) 804-4200

Knowledge of facts regarding the allegations contained in the Complaint.

5. **Richard Malm**
Dickinson Mackaman Tyler & Hagen, P.C.
699 Walnut Street, Suite 1600
Des Moines, IA 50309-3944
(515) 246-4516

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

6. **Paul (Pete) G. Anderson**
President
International Assets Holding Corp.
c/o Plaintiff's counsel
Foley & Lardner LLP
321 N. Clark Street, Suite 2800
Chicago, IL 60654-5313
(312) 832-4500

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

7. **William Dunaway**
Chief Financial Officer
International Assets Holding Corp.
c/o Plaintiff's counsel
Foley & Lardner LLP
321 N. Clark Street, Suite 2800
Chicago, IL 60654-5313
(312) 832-4500

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

8. **Aaron Schroeder**
Chief Accounting Officer
FCStone Group, Inc.
c/o Plaintiff's counsel
Foley & Lardner LLP
321 N. Clark Street, Suite 2800
Chicago, IL 60654-5313
(312) 832-4500

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

9. **Gregory Greves**
Senior Vice President, New York Operations
FCStone Group, Inc.
c/o Plaintiff's counsel
Foley & Lardner LLP
321 N. Clark Street, Suite 2800
Chicago, IL 60654-5313
(312) 832-4500

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

10. **Jeffrey Soman**
Executive Vice President
FCStone, LLC
c/o Plaintiff's counsel
Foley & Lardner LLP
321 N. Clark Street, Suite 2800
Chicago, IL 60654-5313
(312) 832-4500

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

11. **Clarence C. Delbridge**
Executive Vice President
FCStone, LLC
c/o Plaintiff's counsel
Foley & Lardner LLP
321 North Clark Street, Suite 2800
Chicago, IL 60654

12. **Mark Skolnick**
Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP
1065 Avenue of the Americas
New York, NY 10018
(212) 593-3000

Knowledge of facts regarding representations made by himself, Walford and Adams before, during and after negotiation of the Agreements.

13. **Richard J. Goldman**
Certified Public Accountant
7830 Vista Palms Way
Lake Worth, FL 33467

Preparation of and representations made in Robert W. Walford's Statement of Financial Condition as of December 31, 2008 (dated March 25, 2009) and previous years' tax returns.

14. **John Fortuna**
Greenfield & Fortuna, LLP
Certified Public Accountants
120 Broadway
New York, NY 10271
(212) 608-9100

Preparation of and representations made in Scott A. Adams' Statement of Financial Condition as of December 31, 2008 (dated March 24, 2009) and previous years' tax returns.

15. **Daniel Friederich**
Grant Thornton, LLP
1201 Walnut Street, Suite 1000
Kansas City, MO 64106
(816) 412-2400

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

16. **Daniel Powers**
Grant Thornton, LLP
1201 Walnut Street, Suite 1000
Kansas City, MO 64106
(816) 412-2400

Knowledge of facts regarding allegations in the Complaint and the negotiation of the Agreements.

17. All witnesses identified by all Defendants.

(B) Documents (A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment). FCStone and/or its attorneys have custody and control of the following categories of documents that it may use to support its claims:

1. Draft and executed Agreements exchanged between the parties;
2. Communications exchanged between representatives of FCStone, on the one hand, and Robert Walford, Scott Adams and/or their representatives, on the other hand, relating to the Agreements and the Deficit Liability (as defined in the Forbearance Agreement);
3. Documents previously provided to FCStone and/or its counsel by Robert Walford and Scott Adams and/or their representatives in connection with the negotiation of the Agreements;
4. Account opening documents;
5. Account agreements;
6. Account terms and conditions;
7. Trading data relating to the Accounts and the Deficit Liability (as defined in the Forbearance Agreement).

(C) Damages (a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered).

FCStone seeks the following damages as set forth in its Complaint:

- (a) \$127 million plus accrued interest at the rate of 1.94% per annum; and

(b) Court costs and attorneys' fees in connection with enforcing its rights under the Promissory Note.

(D) Insurance Agreements (for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment).

Not applicable.

DATED: March 12, 2010

Respectfully submitted,



Stephen P. Bedell (Attorney No. 3125972)
Dean M. Jeske (Attorney No. 6201378)
Katherine E. Licup (Attorney No. 6288355)
Thomas R. Mikrut (Attorney No. 6290232)
Foley & Lardner LLP
321 North Clark Street
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Chicago, IL 60654
312.832.4500

Attorneys for Plaintiff FCStone, LLC

CERTIFICATE OF SERVICE

I, Thomas R. Mikrut, an attorney, on oath state that on March 12, 2010, I caused a true and correct copy of the foregoing FCStone, LLC's Rule 26(A)(1) Initial Disclosures to be served by depositing same in the U.S. Mail, 321 North Clark Street, Suite 2800, Chicago, Illinois 60654 and by email transmission on:

Stephen J. Senderowitz
William E. Walsh
Winston & Strawn, LLP
35 W. Wacker Drive
Chicago, IL 60601
ssendero@winston.com
wwalsh@winston.com

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Robert Walford*

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*Attorneys for Samantha Garbers-Adams and
Lisa Walford*


Attorney Plaintiff FCStone, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FCSTONE, LLC,

Plaintiff,

v.

SCOTT A. ADAMS, ROBERT W. WALFORD,
SAMANTHA GARBERS-ADAMS and LISA
WALFORD,

Defendants.

) Case No. 1:10-cv-00508

) Judge Ronald A. Guzman

DEFENDANTS' JOINT RULE 26(a)(1) INITIAL DISCLOSURES

PLEASE TAKE NOTICE that defendants Scott A. Adams, Robert W. Walford, Samantha Garbers-Adams, and Lisa Walford (collectively, "Defendants"), as and for their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1), state as follows:

(i) Witnesses: The individuals likely to have discoverable information that Defendants may use to support their defenses or affirmative defenses:

1. Scott A. Adams
310 West 105th Street
New York, NY 10025
2. Robert W. Walford
3 Van Wyck La.
Lloyd Harbor, NY 11743
3. Samantha Garbers-Adams
310 West 105th Street
New York, NY 10025
4. Lisa Walford
3 Van Wyck La.
Lloyd Harbor, NY 11743

5. Richard A. Malm, Esq.
Dickinson, Mackaman, Tyler & Hagen, P.C.
699 Walnut Street, Suite 1600
Des Moines, IA 50309
Tel: (515) 244-2600

6. Any Fed. R. Civ. P. 30(b)(6) witness of plaintiff FCStone, LLC ("FCStone")

7. Any witnesses identified by FCStone in its Fed. R. Civ. P. 26(a) initial disclosures.

Defendants reserve the right to identify additional individuals likely to have discoverable information that Defendants may use to support their defenses in the trial of the above-captioned matter.

(ii) Documents: Documents that may be used by Defendants to support their defenses or affirmative defenses:

1. Forbearance Agreement, by and among FCStone, Scott A. Adams, and Robert W. Walford, dated March 11, 2009;
2. Promissory Note, executed by Scott A. Adams and Robert W. Walford, dated March 11, 2009;
3. Assignment of Income Tax Refunds, executed by Scott A. Adams, dated March 11, 2009;
4. Assignment of Income Tax Refunds, executed by Robert W. Walford, dated March 11, 2009; and
5. FCStone account opening documents, trading records, and/or agreements.

All such documents that are within Defendants' possession, custody, and control are presently located in New York.

(iii) Computation of damages: Not applicable.

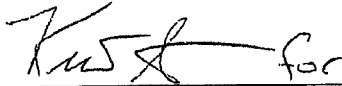
(iv) Insurance agreements: None.

In accordance with Fed. R. Civ. P. 26(a)(1), these disclosures are made based on information now reasonably available to Defendants and will, if necessary, be supplemented pursuant to Fed. R. Civ. P. 26(e).

Defendants Samantha Garbers-Adams and Lisa Walford, by making these disclosures, are in no manner submitting to the personal jurisdiction of the Court.


Dated: New York, New York
March 12, 2010

WINSTON & STRAWN LLP



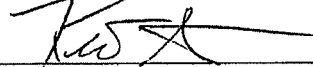
Stephen J. Senderowitz, Esq. (ARDC # 2549050)
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Chicago, IL 60601-9703
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*Attorneys for Defendants Samantha
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LEVENFELD PEARLSTEIN, LLC



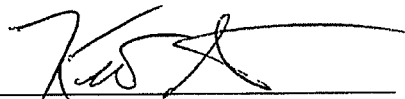
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(312) 346-8380 (*telephone*)
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*Attorneys for Defendants Samantha
Garbers-Adams and Lisa Walford*

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he served a true and correct copy of **Defendants' Joint Rule 26(a)(1) Initial Disclosures** upon all parties listed below, via electronic mail and by placing a copy of the same in a correctly addressed envelope, with proper postage prepaid, and depositing the same in the U.S. Mail at 2 North LaSalle Street, Chicago, Illinois, before 5:00 p.m. on March 12, 2010.

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